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## UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re: Chapter 11 LEHMAN BROTHERS HOLDINGS INC, et al., Case No. 08-13555 (SCC) Debtors, Jointly Administered

Joinder of Alex Olivo to Motion of Joseph J. Waske's request of the honorable court to reclassify his shares of Lehman Brothers Holding Inc Capital Trust III, IV, V, and VI based on new information that the guarantee is enforceable through the SRM decision as mentioned on the June 19<sup>th</sup>, 2019 hearing of docket #59614.

Alex Olivo is also stating that LBIE Preferred A and B shares are equity and not debt. Therefore, the Capital Trust III, IV, V, and VI are not subordinated in nature to equity.

Alex Olivo hereby joins in the motion filed on January 2, 2020 [Doc. No. 60337] (the Motion) by Joseph J. Waske, to request the honorable court to reclassify his shares of Lehman Brothers Holding Inc Capital Trust III, IV, V, and VI based on new information that the guarantee is also enforceable through the SRM decision.

- 1. Like Joseph J. Waske, Alex Olivo holds LBHI's Preferred Securities: LEHKQ, LEHLQ, LEHNQ and LHHMQ issued by Lehman Brothers Holdings Capital Trust III, IV, IV, and IV.
- 2. The Lehman Brothers Capital Trusts 3,4,5 and 6 are also not dischargeable per the enforceable prospectus without meeting all the obligations within the prospectus.
- 3.Just as Joseph J. Waske, Alex Olivo hereby adopts and incorporates all of the arguments raised in the Motion (Doc. No. 60337) as if such arguments were set forth herein and asserted by Alex Olivo. As Joseph J. Waske correctly argues in the Motion, the relief requested in the Motion is supported by, among other things, the plain language of the confirmed Plan, the SRM decision and applicable bankruptcy law.
- 4. Alex Olivio reserves all his rights and do not waiver any rights by filing this joinder.

Dated: January 6, 2020 Respectfully Submitted,

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